

HOUSE BILL No. 1027

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10-8; IC 7.1-5-10-1.

Synopsis: Election day alcohol sales. Allows alcoholic beverages to be sold on election days.

Effective: July 1, 2010.

Van Haaften, Bell

January 5, 2010, read first time and referred to Committee on Public Policy.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1027

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-10-8-4.5, AS AMENDED BY P.L.145-2006,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 4.5. Whenever the election division receives a
4 notice under section 4 of this chapter, the election division shall notify
5 the following offices and agencies that a special election will be
6 conducted within all or part of Indiana:

7 (1) Each agency serving persons with disabilities and designated
8 as a voter registration site under IC 3-7-16.

9 (2) Armed forces recruitment offices in accordance with
10 procedures established under IC 3-7-17.

11 (3) Each agency designated as a voter registration site and subject
12 to IC 3-7-18.

13 ~~(4) The alcohol and tobacco commission for purposes of~~
14 ~~enforcing IC 7-1-5-10-1.~~

15 ~~(5)~~ (4) The bureau of motor vehicles for voter registration
16 purposes under IC 9-24-2.5.

17 ~~(6)~~ (5) The adjutant general for purposes of enforcing



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IC 10-16-7-17.

~~(7)~~ (6) The division of family resources for voter registration purposes under IC 12-14-1.5, IC 12-14-25, and IC 12-15-1.5.

~~(8)~~ (7) The state department of health for voter registration purposes under IC 16-35-1.6.

~~(9)~~ (8) The Federal Voting Assistance Program of the United States Department of Defense, for notification of absent uniformed services voters and overseas voters.

SECTION 2. IC 3-10-8-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 9. (a) If the special election occurs during the period when registration is open under IC 3-7-13, the registration period continues through the twenty-ninth day before the special election occurs and resumes on the date specified by IC 3-7-13-10(d).

(b) The election board conducting the special election shall provide poll lists for use at the precincts that include the names of voters in the precinct who:

(1) have registered through the twenty-ninth day before the special election is to be conducted; or

(2) are absent uniformed services voters or overseas voters registered under IC 3-7-36.

(c) This subsection applies when a special election is ordered by a court under IC 3-12-8-17 or the state recount commission under IC 3-12-11-18. A candidate may not be placed on the special election ballot unless the candidate was on the ballot or was a declared write-in candidate for the office at the general election preceding the special election.

~~(d) The restrictions on the sale of alcoholic beverages set forth in IC 7-1-5-10-1 apply in each precinct in which the special election is conducted.~~

SECTION 3. IC 7-1-5-10-1, AS AMENDED BY P.L.1-2009, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) Except as provided in subsection (c), it is unlawful to sell alcoholic beverages at the following times:

(1) At a time other than that made lawful by the provisions of IC 7-1-3-1-14.

(2) On Christmas Day and until 7:00 o'clock in the morning, prevailing local time, the following day.

~~(3) On primary election day, and general election day, from 3:00 o'clock in the morning, prevailing local time, until the voting polls are closed in the evening on these days.~~

~~(4) During a special election under IC 3-10-8-9 (within the~~

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1 precincts where the special election is being conducted); from
2 3:00 o'clock in the morning until the voting polls are closed in the
3 evening on these days.
4 (b) During the time when the sale of alcoholic beverages is
5 unlawful, no alcoholic beverages shall be sold, dispensed, given away,
6 or otherwise disposed of on the licensed premises and the licensed
7 premises shall remain closed to the extent that the nature of the
8 business carried on at the premises, as at a hotel or restaurant, permits.
9 (c) It is lawful for the holder of a valid beer, wine, or liquor
10 wholesaler's permit to sell to the holder of a valid retailer's or dealer's
11 permit at any time.

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